## IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF TEXAS FORT WORTH DIVISION

| UNITED STATES OF AMER | RICA       | )                 |
|-----------------------|------------|-------------------|
| v.                    |            | )<br>)            |
| THE BOEING COMPANY,   |            | ) No. 4:21-CR-5-0 |
|                       | Defendant. | )<br>)<br>)       |

# THE BOEING COMPANY'S UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND TO MOTIONS FILED ON BEHALF OF CRASH VICTIMS OF LION AIR FLIGHT 610 AND ETHIOPIAN AIRLINES FLIGHT 302

The Boeing Company ("Boeing"), by and through undersigned counsel, respectfully submits this Unopposed Motion for Extension of Time to Respond to Motions Filed on behalf of Crash Victims of Lion Air Flight 610 and Ethiopian Flight 302. *See* Dkt. Nos. 15, 17, & 18, as amended at No. 32. Boeing seeks this extension to conform its response deadline to the deadline sought by the United States in its Motion for Extension of Time, filed January 19, 2022. In support thereof, Boeing states as follows:

- 1. On or about January 5, 2021, the United States and Boeing entered into a Deferred Prosecution Agreement (the "Agreement").
- 2. On January 7, 2021, the Agreement and related documents, including the parties' Joint Motion for Exclusion of Time Under the Speedy Trial Act (the "Joint Motion"), were filed publicly with this Court. Dkt. Nos. 1–5.
- 3. On January 24, 2021, this Court granted the parties' Joint Motion and ordered that all further criminal proceedings in this matter be continued until further motion of the parties. Dkt. No. 13.

- 4. On December 16, 2021, three motions and accompanying exhibits (collectively, the "Motions") were filed on behalf of fifteen victims of Lion Air Flight 610 and Ethiopian Airlines Flight 302, and others similarly situated, seeking various relief under the Crime Victims' Rights Act, 18 U.S.C. § 3771. Dkt. Nos. 15–18.
- 5. On December 22, 2021, the Court granted Boeing's first motion for an unopposed extension of time to file a response to the Motions based on the approaching holiday season and to conform Boeing's response deadline to that of the United States, and required Boeing to respond by January 13, 2022. Dkt. No. 29.
- 6. On January 11, 2022, the Court granted the United States' unopposed motion for an extension of time to file its response to the Motions and its response to the third-party declaration, and required the United States to file its responses to both the Motions and the third-party declaration by January 20, 2022. Dkt. No. 36.
- 7. On January 12, 2022, the Court granted Boeing's second unopposed motion for an extension of time to file a response to the Motions and the third-party declaration in order to conform Boeing's response deadline to that of the United States, and required Boeing to respond by January 20, 2022. Dkt. No. 40.
- 8. On January 19, 2022, the United States requested that the Court grant it an additional seven-day extension of time to file a response to the Motions. Dkt. No. 47.
- 9. Accordingly, to again conform Boeing's response deadline to that of the United States to allow for efficient proceedings should the Court grant the United States' motion for extension, Boeing respectfully requests an additional seven-day extension to the period of time within which it may respond to the Motions. This request is not opposed by the movants or the United States.

## **CONCLUSION**

Based on the foregoing, Boeing respectfully requests that the Court grant its Unopposed Motion for Extension of Time to Respond and extend the period of time within which Boeing may respond to the Motions by seven days.

Respectfully submitted,

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**CERTIFICATE OF CONFERENCE** 

Pursuant to Local Criminal Rule 47.1(b), on January 19, 2022, counsel for Boeing

conferred with counsel for the movants, Paul G. Cassell, Esq., and counsel for the United States,

Jerrob Duffy, Esq., who each stated that they are unopposed to this motion.

**CERTIFICATE OF SERVICE** 

I certify that on January 19, 2022, I electronically filed this pleading with the clerk of the

court for the U.S. District Court, Northern District of Texas, using the Court's electronic case filing

system, which will send a notification of electronic filing to notify counsel for the United States

and movants.

/s/Benjamin L. Hatch

Benjamin L. Hatch

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